

Floodplain Variance Request

5613 Joe Sayers Avenue

Hancock Branch of  
Shoal Creek Watershed

# Applicant Request

1. Construct a new 4723 sq. ft. duplex (3905 sq. ft. conditioned space, 800 sq. ft. attached garage and 18 sq. ft. deck) at 5613 Joe Sayers Avenue. A 1300 sq. ft. duplex previously existed on the property, but the owners demolished it under Demolition Permit No. 05016954 issued on September 21, 2005.
2. Exclude building footprint from drainage easement dedication to the full limit of the 100-yr floodplain.



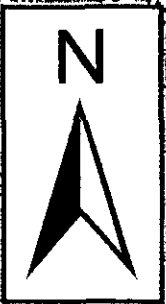
# Watershed Protection Development Review

## Legend

- Lot Lines
- Stream Centerline

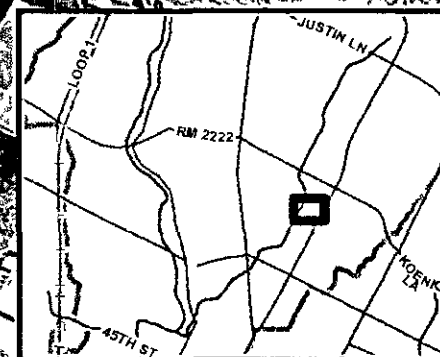
## FLOODPLAIN

- City of Austin Future 25-Year Floodplain
- City of Austin Future 100-Year Floodplain
- Structures
- Flooded Home Reported 5/24 & 5/25 1981



0 50 100 200 Feet

Subject Property  
5613 Joe Sayers Ave



This map was produced by the City of Austin Watershed Protection and Development Review Department as a working staff map and as such no warranty is made as to its accuracy or completeness

THU 03/01/2007



# Watershed Protection Development Review

## Legend

- Lot Lines
- Stream Centerline

## FLOODPLAIN

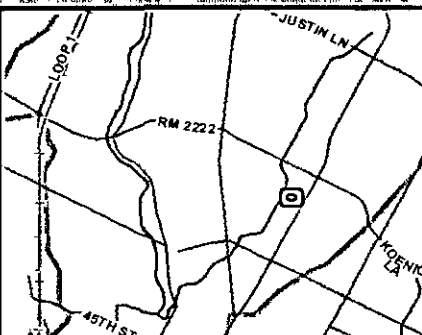
- City of Austin Future 25-Year Floodplain
- City of Austin Future 100-Year Floodplain
- Structures

Hancock  
Branch

JOE SAYERS AVE

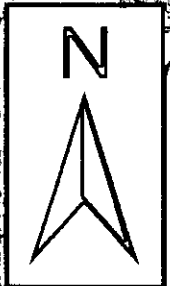
HECKLATER

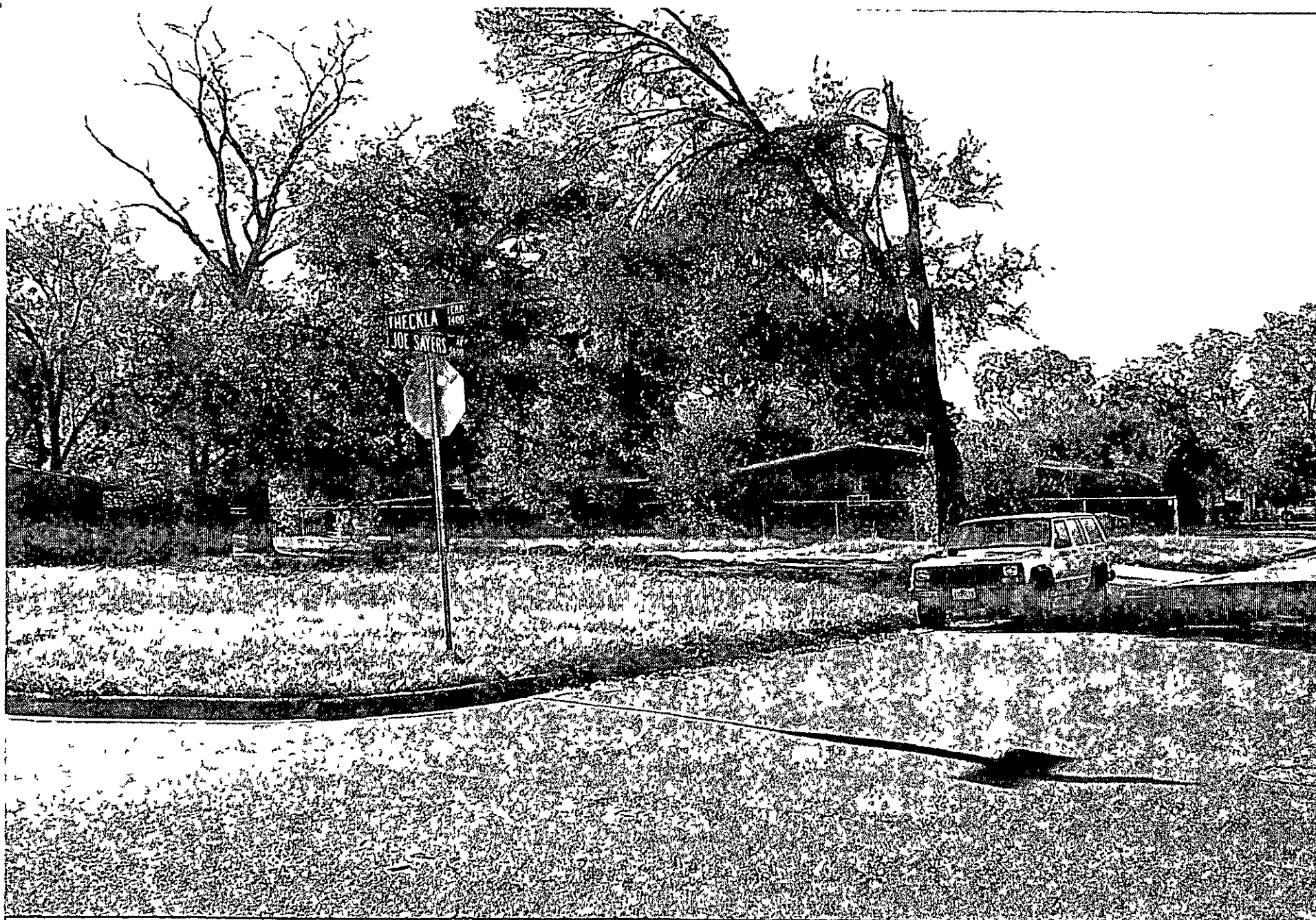
Subject Property  
5613 Joe Sayers Ave



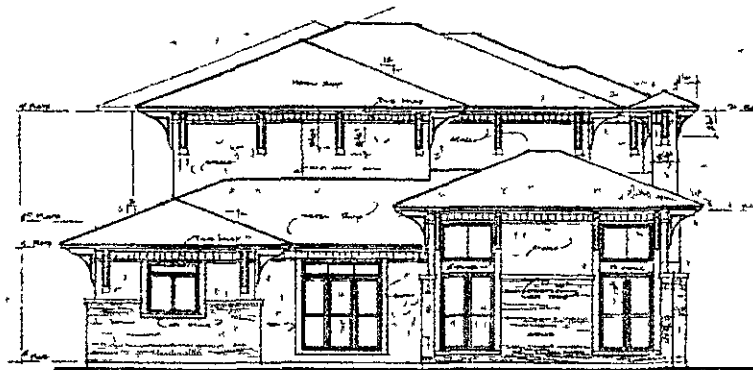
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MON 11/20/2006

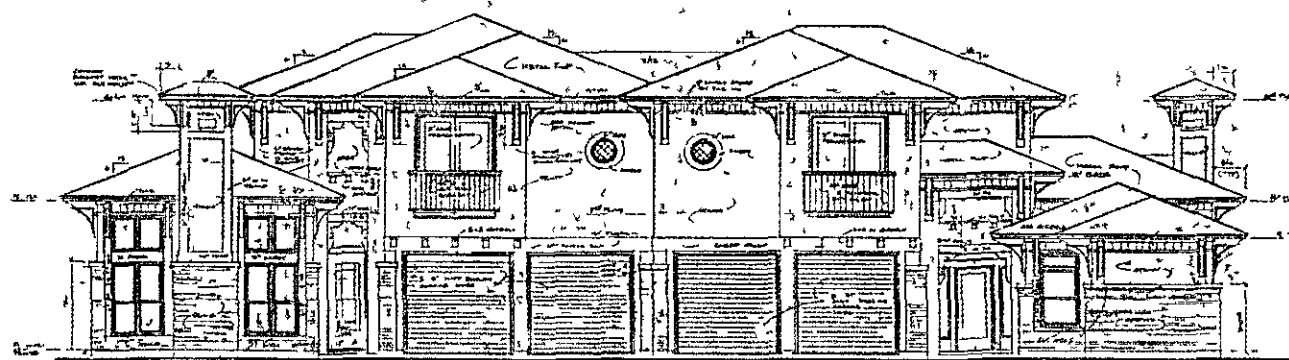




5613 Joe Sayers Avenue  
Site of Former 1300 sq. ft. Duplex



LEFT SIDE ELEVATION



FRONT ELEVATION

**GENERAL NOTES**

1. These plans and specifications are intended as a guide and not a contract. Contractors to read and comply with all local codes, ordinances, and building regulations.
2. Contractors to verify all dimensions, and conditions and shall assume responsibility of same. Any discrepancies in plans to be brought to the attention of the Designer. Owner to verify location of all electrical, plumbing, and telephone utilities before proceeding.
3. All engineering by others.

**SCOPE AND LIMITATION OF PLANS**

These plans are copyrighted under the laws of copyright and are the sole property of the Building Designer. The drawings, plans and specifications shall remain the exclusive property of the Building Designer and the "As-Noted" right to use same is conditioned and limited to completion or extension of the structure and located project. The use or reproduction of such plans or drawings in connection with any other construction or project is prohibited.



5613 JOE SAYERS AVENUE  
LOT 1, HARRY J. BROS. SUBDIVISION, INC.  
HOUSTON, TEXAS 77055

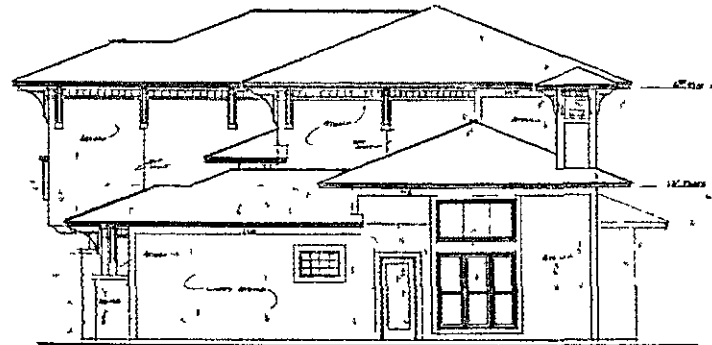
WILLIAM P. ANDERSON, JR.  
DESIGNER  
DATE: 08/15/2015

WILLIAM P. ANDERSON, JR.  
DESIGNER  
DATE: 08/15/2015

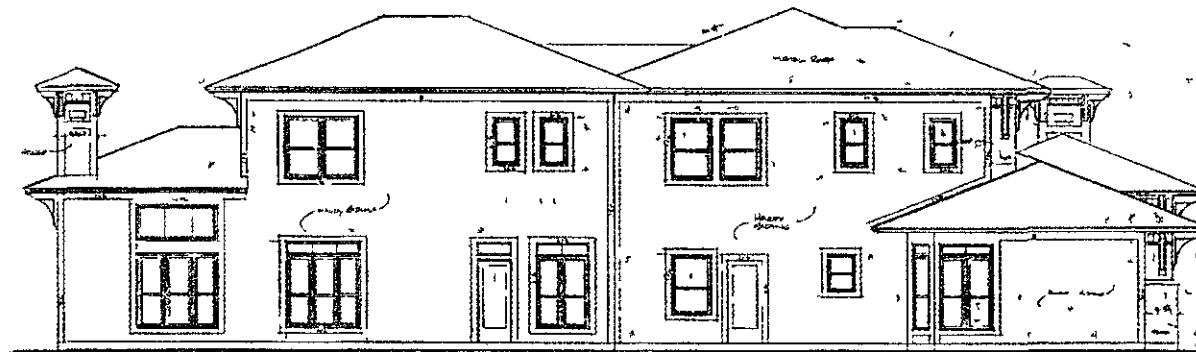
DATE: 08/15/2015  
WPA

DATE: 08/15/2015  
A1

5613 Joe Sayers Avenue  
Proposed Duplex – Front & Left Side Elevations



REAR ELEVATION



RIGHT SIDE ELEVATION

GENERAL NOTES

1. These plans and specifications are intended to provide a general guide only. Contractor to read and comply with all local codes, ordinances and deed restrictions.
2. Contractor to verify all dimensions and conditions. All shall assume responsibility of same. Any discrepancies in plans to be brought to the attention of the Designer.
3. Owner to verify location of all electrical, plumbing, and telephone outlets before construction.
4. All engineering by others.

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DATE DRAWN	08/18/2020
DRAWN BY	WPA
REVISION NUMBER	A4

W 13 JOE SAYERS AVENUE  
LOT 1, HUBBARD SUBDIVISION  
TARRANT COUNTY TEXAS

WILLIAM P. ANDERSON JR.  
LICENSED PROFESSIONAL ENGINEER  
STATE OF TEXAS  
LICENSE NO. 10111

5613 Joe Sayers Avenue  
Proposed Duplex— Rear and Right Side Elevations



# VARIANCE DENIAL RECOMMENDED

## SUMMARY of FINDINGS

1. **PROPOSED CONSTRUCTION IS WITHIN THE 100-YEAR AND 25-YEAR FLOODPLAINS OF THE HANCOCK BRANCH OF SHOAL CREEK.** The 100-year and 25-year floodplains inundates the entire lot.
2. **NO SAFE ACCESS.** For the 100-year flood event, a water depth of 2.5 to 4.6 feet at the street curb line in front of the house impedes access to the house. The house will be surrounded by up to 3.4 feet of water during the 100-year flood event.
3. **ADDITIONAL OCCUPANCY IN THE FLOODPLAIN.** Proposed construction increases opportunity for human occupancy in the floodplain. The owners demolished a 1300 sq. ft. duplex and propose to construct a 3905 +sq. ft. duplex.
4. **HARDSHIP CONDITIONS FOR THE PROPERTY DO NOT EXIST.** The property previously had a duplex structure on it, but it was demolished at the owner's discretion. Applicant informed of the need for a floodplain variance at time of demolition permit issuance/building permit application-September 2005.



# Residential Design and Compatibility Standards ("McMansion") Ordinance

1. Compliance with the "McMansion" ordinance is not required. Building permit application pre-dates the ordinance.
2. The proposed development exceeds the allowed gross floor area permitted under the ordinance.
3. An applicant is allowed the greater of 2300 sq. ft or 0.4 to 1.0 floor-to-area ratio. The development on the subject property would be limited to 3336 sq. ft. of gross floor area per the ordinance.

## Proposed Gross Floor Area:

- o Residence – 3905 sq. ft.
- o Garage – 600 sq. ft., excludes 200/parking req'd to meet minimum parking.
- o Deck – 18 sq. ft.
- o Total 4523 sq. ft.

4. To comply, applicant will have to remove 1187 sq. ft. from the proposed development.

# Residential Design and Compatibility Standards ("McMansion") Ordinance

5. The interior side lot line is subject to a side-wall articulation under the ordinance which is lacking in the proposed development.
6. The maximum building height allowed under the ordinance is 32 ft. The proposed development is within the height restriction.
7. The structure is required to fit a "building tent" size limitation. At the proposed height of the development (23 ft. + foundation height) with the required setbacks of SF-3 zoning, the proposed structure complies with the "tent" requirement.
8. The owners have submitted an executed *Restrictive Covenant* agreeing to meet the "McMansion" ordinance if the subject floodplain management ordinance variances are granted.
9. Issues of access to a proposed duplex deep in the floodplain and increased occupancy in the floodplain remain even if compliance with the "McMansion" ordinance is obtained. **VARIANCE DENIAL RECOMMENDED.**

END

# 5613 Joe Sayers Timeline

**02/14/2003** CoA provides Keller-Williams Real Estate agent "Floodplain Insurance Form" (states that 5613 Joe Sayers is in the floodplain).

**02/18/2003** TCAD Property Deed Date of Elizabeth and William Sisco (owner of 5613 Joe Sayers).

**09/14/2005** Applicant applies for Demolition permit. Permit application states "Be sure to check with the WPDR Residential Zoning Review (office) ... to make sure that a new structure can be built on the property."

**09/19/2005** Applicant applies for Building permit.

**09/21/2005** Demolition permit is issued.

# 5613 Joe Sayers Timeline

## Continued

**09/28/2005** Mr. Rick Edson of "House Buyers" requests and is provided a "Floodplain Development Form" (provides 25-yr. and 100-year floodplain depths at address).

**10/13/2005** Applicant requests and is provided a "Floodplain Development Form".

**02/16/2006** Mr. Jess Sheedy of McAngus Surveying requests and is provided a "Floodplain Development Form".

**07/03/2006** Applicant requests floodplain variance.

**From:** Rich Brock  
**Sent:** Monday, February 26, 2007 4:06 PM  
**To:** Lee, Julia G; Vincent, Martha; Windsor, Ray  
**Cc:** Dale Henry; Don Leighton-Burwell

**Subject:** BNA Letter for Council backup Re: Requests for variances @ 5613 Joe Sayers

## **Brentwood Neighborhood Association**

*Serving Our Neighborhood from 45th St. to Justin Lane and North Lamar to Burnet Road*

Mayor Wynn and Council Members,

The Brentwood Neighborhood Association Steering Committee has voted to oppose the requests for variances @ 5613 Joe Sayers. We agree with the findings of Watershed Protection and Development Review Staff, and acknowledge their work to protect our neighborhood.

We are hopeful that Mayor and Council will support Brentwood residents, and City Staff, in opposition to these requests for variances from Austin's floodplain management regulations.

Sincerely,

Dale Henry  
Brentwood Neighborhood Association - President